

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|--|---|-----------------------------|
| STAMAR RICHARD MILLER, <i>et al.</i> , | : | |
| Plaintiffs, | : | |
| | : | |
| v. | : | CIVIL ACTION NO. 22-CV-3639 |
| | : | |
| GEORGE W. HILL CORRECTIONAL | : | |
| FACILITY AUTHORITIES, <i>et al.</i> , | : | |
| Defendants. | : | |

ORDER

AND NOW, this 10th day of November, because certain individuals listed as Plaintiffs in the caption of this case failed to comply with the Court's prior Amended Order filed on September 22, 2022 (ECF No. 4) directing them to sign the Complaint as required by Federal Rule of Civil Procedure 11,¹ and to prepay the filing fee for this case or submit motions to proceed *in forma pauperis* and copies of their prisoner account statements (or institutional equivalent), the time to do so having now expired, and all Plaintiffs having been warned that the failure to comply with the Amended Order would result in the dismissal of their claims without prejudice for failure to prosecute it is **ORDERED** that:

1. The following Plaintiffs are **DISMISSED WITHOUT PREJUDICE** for failure to prosecute:

Jahmad Lockett, #22003015
Brian Lowrie, #22003679
Bashir Amin Jackson, #2201325
Steve Motlan, #2200152
Anthony Miller, #21004886
Makkie Velez, #2202424
Marshall Gibson, #22003114
Alfred Hatchatt, #22000682
Eric Michael, #2200938
Bashir Jackson, #22-1525
Jeffrey Williams, #21000293

¹ The Complaint was submitted without a handwritten signature from each person listed as a Plaintiff. Rather, only the first named person, Stamar Richard Miller, hand-signed the pleading. Each other person currently listed on the docket appears to have placed their printed names on separate pieces of paper that Miller filed with the Complaint.

Auston Luster, #22002547
Tarik Driver, #22001898
Alphonso Leaphart, #21001995
Stephen Snyder, #22033782
Alphonso Johnson, #22001271
Demetrius Creen, #22002878
Robert Miller, #22003689
Jaquan Dorsey, #21005963
Donald Flynn, #22002600
Frank Ward, #22002829
John Roberts, #21003188
Donte Mosley, #21005686
Hasan Hannah, #22001518
Joseph Moore, #21001649
Terence Bower, #22001779
Davon Wise, #22002828
Monyeh Jennings, #22004227
Yusef Moore, #22000707
Kendall Little, #22003760
Allon Ruffin, #22003740
Tyrone Justin, #21005915
Ryan Germany-Hill, #21005786

2. The only Plaintiffs who have complied with the prior Amended Order and submitted a motion to proceed *in forma pauperis* and a copy of their institutional account statements are Staymar Richard Miller, #20002351, and Jermaine Matthews, #22003060.

3. The Motions to Proceed *In Forma Pauperis* filed by Staymar Richard Miller, #20002351, and Jermaine Matthews, #22003060 are **GRANTED** pursuant to 28 U.S.C. § 1915.

4. Staymar Richard Miller, #20002351, and Jermaine Matthews, #22003060, shall **each** pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Warden of George W. Hill Correctional Facility or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Miller's and Matthews's inmate accounts; or (b) the average monthly balance in Miller's and Matthews's inmate accounts for the six-month period immediately preceding the filing of this case. The Warden of George W. Hill Correctional Facility or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case.

In each succeeding month when the amount in Miller's and Matthews's inmate trust fund accounts exceeds \$10.00, the Warden of George W. Hill Correctional Facility or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Miller's and Matthews's inmate accounts until each of their fees are paid. Each payment shall refer to the docket number for this case.

5. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Warden of George W. Hill Correctional Facility.

6. The Complaint is **DEEMED** filed.

7. Miller's and Matthew's Complaint is **DISMISSED WITH PREJUDICE** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons stated in the Court's Memorandum.

8. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ John Milton Younge

JOHN MILTON YOUNGE, J.